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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,260	01/11/2002	David Emery Virag	PU 020010	7877

7590 10/28/2004

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EXAMINER

CHAN, WING F

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/044,260

Applicant(s)

VIRAG ET AL.

Examiner

Wing F. Chan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-13 is/are allowed.
- 6) ☒ Claim(s) 1-9 and 14-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. This Office action is responsive to the amendments filed 8/12/04.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1-5, 8, 9, 14-19 are rejected under 35 U.S.C. 103(a) as being obvious over Smith, Jr. et al (US PAT. NO. 6,603,839 filed 9/13/2000, hereinafter Smith) in view of Gerszberg et al (US PAT. NO. 5,949,474 hereinafter Gerszberg).

Smith discloses a telecommunication method and system comprising a telecommunication device (e.g. figure 12, note PDA, PC, etc.) having a display for viewing textual directory information (e.g. col. 6 line 60 to col. 7 line 22), the device connected to a telephone network (not shown but inherent), a database application which includes directory information (e.g. see directory assistance database in Fig. 12, col. col. 17 lines 14-62), a mechanism (e.g. the directory organization software and its associated keys) coupled to the telecommunication device to provide the user with access when the mechanism is activated to provide directory information to the display of the telecommunication device in response to user entered text information (e.g. see all figures). See col. 8 line 44 to col. 11 line 28 for example. Smith differs from the claimed invention in not disclosing the telecommunication device being connected to a DSL telephone network.

However, it is old and well known in the art for telecommunication devices to connect to a DSL telephone network communication medium, for example see

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Gerszberg col. 3 line 52, col. 5 lines 16-17 which discloses a telecommunication method and system comprising a telecommunication device (e.g. figure 3A) having a display for viewing textual information, the device being connected to a DSL telephone network (e.g.) to access a database since DSL provides for faster and more data throughput.

Gerszberg in Fig. 3A further teaches a white pages, yellow pages, 800 pages service buttons 165, and in col. 5 lines 37-63, col. 6 line 55 to col. 7 line 3 discloses providing these services to the users from the ISD. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Smith's telecommunication device to connected to a DSL telephone network to access a remote database as is old and well known in the art to access various services such as yellow pages, white pages, 800 numbers to store the more current telephone numbers and at the same time take advantage of greater data transmission capacity and speed provided by DSL networks, e.g. provide faster access and data retrieval from the remote database.

4. Claims 6, 7, 20, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith as modified by Gerszberg as applied to claims 1-5, 8, 9, 14-19 above, and further in view of Desmond et al (US PAT. NO. 6,269,337 filed 7/1998 hereinafter Desmond).

Regarding claims 6, 20, Smith as modified by Gerszberg differs from the claimed invention in not disclosing the directory information includes business hours of an entry. However, it is notoriously old and well known in the art that a user of directory

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assistance services often wants to know additional information such as business hours, etc. (e.g. see Desmond col. 1 lines 33-38), and Desmond teaches a directory service which also provides the user with additional information associated with the entry such as business hours. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Smith as modified by Gerszberg to provide additional information associated with the entry such as business hours to satisfy the needs of the user.

Regarding claims 7, 21, Desmond teaches that the listed (entry) party is charged a fee for this additional information service (e.g. col. 2 lines 15-20), this obviously is a priority, preference criteria as claimed since it is the preference, priority of the listed party to pay a fee to be listed in the same manner as disclosed by applicants.

5. Claims 1-5, 8, 9, 14-19 are rejected under 35 U.S.C. 103(a) as being obvious over Braun et al (US PAT. NO. 5,524,141, hereinafter Braun) in view of Gerszberg et al (US PAT. NO. 5,949,474 hereinafter Gerszberg).

Braun discloses a telecommunication method and system comprising a telecommunication device (e.g. figures 1, 4, or ADSI interface and TV or the ADSI phone) having a display for viewing textual directory information, the device connected to a telephone network (300), a database application which includes directory information (e.g. see directory service unit 200 and its corresponding descriptions), a mechanism (e.g. keys on the ADSI phone or the remote control) coupled to the telecommunication device to provide the user with access when the mechanism is

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activated to provide directory information to the display of the telecommunication device in response to user entered text information (e.g. see all figures). See abstract, all figures, col. 3 line 21 to col. 4 line 15, col. 9 lines 30-60, col. 11 lines 6-52 for example. Braun differs from the claimed invention in not disclosing the telecommunication device being connected to a DSL telephone network.

However, it is old and well known in the art for telecommunication devices to connect to a DSL telephone network communication medium, for example see Gerszberg col. 3 line 52, col. 5 lines 16-17 which discloses a telecommunication method and system comprising a telecommunication device (e.g. figure 3A) having a display for viewing textual information, the device being connected to a DSL telephone network (e.g.) to access a database since DSL provides for faster and more data throughput. Gerszberg in Fig. 3A further teaches a white pages, yellow pages, 800 pages service buttons 165, and in col. 5 lines 37-63, col. 6 line 55 to col. 7 line 3 discloses providing these services to the users from the ISD. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Braun's telecommunication device to connected to a DSL telephone network to access a remote database as is old and well known in the art to access various services such as yellow pages, white pages, 800 numbers to store the more current telephone numbers and at the same time take advantage of greater data transmission capacity and speed provided by DSL networks, e.g. provide faster access and data retrieval from the remote database.

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6. Claims 6, 7, 20, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Braun as modified by Gerszberg as applied to claims 1-5, 8, 9, 14-19 above, and further in view of Desmond et al (US PAT. NO. 6,269,337 filed 7/1998 hereinafter Desmond).

Regarding claims 6, 20, Braun as modified by Gerszberg differs from the claimed invention in not disclosing the directory information includes business hours of an entry. However, it is notoriously old and well known in the art that a user of directory assistance services often wants to know additional information such as business hours, etc. (e.g. see Desmond col. 1 lines 33-38), and Desmond teaches a directory service which also provides the user with additional information associated with the entry such as business hours. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Braun as modified by Gerszberg to provide additional information associated with the entry such as business hours to satisfy the needs of the user.

Regarding claims 7, 21, Desmond teaches that the listed (entry) party is charged a fee for this additional information service (e.g. col. 2 lines 15-20), this obviously is a priority, preference criteria as claimed since it is the preference, priority of the listed party to pay a fee to be listed in the same manner as disclosed by applicants.

7. Claims 1-5, 8, 9, 14-19 are rejected under 35 U.S.C. 103(a) as being obvious over Schlachman et al (US PAT. NO. 6,504,925 filed 3/15/94, hereinafter Schlachman) in view of Gerszberg et al (US PAT. NO. 5,949,474 hereinafter Gerszberg).

Schlachman discloses a telecommunication method and system comprising a telecommunication device (10) having a display for viewing textual directory information, the device connected to a telephone network (14), a database application which includes directory information (e.g. 12 in Fig. 1, see col. 5 lines 46-65), a mechanism (e.g. keys on the telecommunication device) coupled to the telecommunication device to provide the user with access when the mechanism is activated to provide directory information to the display of the telecommunication device in response to user entered text information (e.g. see all figures). See abstract, all figures, col. 4 line 32 to col. 18 line 43 fore example. Schlachman differs from the claimed invention in not disclosing the telecommunication device being connected to a DSL telephone network.

However, it is old and well known in the art for telecommunication devices to connect to a DSL telephone network communication medium, for example see Gerszberg col. 3 line 52, col. 5 lines 16-17 which discloses a telecommunication method and system comprising a telecommunication device (e.g. figure 3A) having a display for viewing textual information, the device being connected to a DSL telephone network (e.g.) to access a database since DSL provides for faster and more date throughput. Gerszberg in Fig. 3A further teaches a white pages, yellow pages, 800 pages service buttons 165, and in col. 5 lines 37-63, col. 6 line 55 to col. 7 line 3 discloses providing these services to the users from the ISD. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schlachman's telecommunication device to connected to a DSL telephone network to access a remote database as is old and well known in the art to access various services such as yellow

pages, white pages, 800 numbers to store the more current telephone numbers and at the same time take advantage of greater data transmission capacity and speed provided by DSL networks, e.g. provide faster access and data retrieval from the remote database.

8. Claims 6, 7, 20, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlachman as modified by Gerszberg as applied to claims 1-5, 8, 9, 14-19 above, and further in view of Desmond et al (US PAT. NO. 6,269,337 filed 7/1998 hereinafter Desmond).

Regarding claims 6, 20, Schlachman as modified by Gerszberg differs from the claimed invention in not disclosing the directory information includes business hours of an entry. However, it is notoriously old and well known in the art that a user of directory assistance services often wants to know additional information such as business hours, etc. (e.g. see Desmond col. 1 lines 33-38), and Desmond teaches a directory service which also provides the user with additional information associated with the entry such as business hours. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schlachman as modified by Gerszberg to provide additional information associated with the entry such as business hours to satisfy the needs of the user.

Regarding claims 7, 21, Desmond teaches that the listed (entry) party is charged a fee for this additional information service (e.g. col. 2 lines 15-20), this obviously is a

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priority, preference criteria as claimed since it is the preference, priority of the listed party to pay a fee to be listed in the same manner as disclosed by applicants.

9. Claims 10-13 are allowed.

10. Applicant's arguments filed 8/12/04 have been fully considered but they are not persuasive.

Applicant's remarks on page 10 to page 12 have been fully considered but they are not persuasive.

Applicant's statement that a reference must be considered in its entirety, e.g. as a whole, on page 11 is duly noted. Applicant's remarks centers on the title of Gerszberg being directed to a videophone blocker and it being different from the other applied references having titles related to directory thereby concluding that Gerszberg is not pertinent prior art is contrary to applicant's statement that a reference must be considered in its entirety, e.g. as a whole. Therefore, applicant's remarks are not persuasive and moot. Applicant further argues Gerszberg is directed to blocking data and is therefore different from the claimed invention. However, this argument by applicant is also misleading, improper and incorrect as applicant centered on only one feature (blocking) in Gerszberg and failed to consider Gerszberg as a whole for what it discloses. As clearly set forth in the rejections, the directory data aspect are taught by anyone of Smith, Braun or Schlachman and Gerszberg is relied upon for his teachings of using a DSL telephone network to connected to a remote database for yellow pages,

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white pages, 800 pages services and that these services are clearly directory services data within the scope of the claims and the applied primary references. Contrary to applicant's erroneous allegations, clearly Gerszberg when considered in its entirety, e.g. as a whole does provide directory services and transfer of directory services data. Therefore applicant's remarks are not persuasive.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

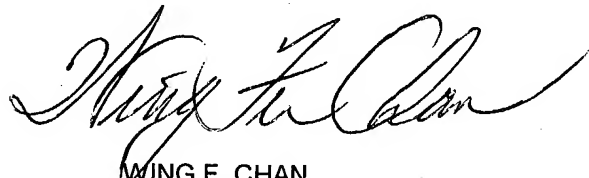
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Examiner W. F. Chan** whose telephone number is 703-305-4732.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached at 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the receptionist whose telephone number is 703-305-3900.

A handwritten signature in cursive script, appearing to read 'Wing F. Chan', is positioned above the printed name and title.

WING F. CHAN
SENIOR PRIMARY EXAMINER
TECHNOLOGY CENTER 2600

WFC
10/20/04